

REMARKS:

The Examiner has rejected Claims 1 to 3 and 16 as being anticipated by Johnson. The Examiner has rejected Claims 1, 4, 5 and 16 as being anticipated by Hunt. The Examiner has rejected Claims 1 to 4, 10 to 13, 16 to 18, 22 and 23 as being anticipated by George. The Johnson patent describes a beach chair (chaise lounge) with a backrest that is pivotally mounted to a seat with braces extending rearward from the backrest to a base to support the backrest in various positions relative to the seat. The backrest appears to fold onto the seat for storage or transport purposes. The pivot point between the backrest and seat is fixed.

The Hunt patent describes a leaf support for a sofa bed where there is a fixed pivot point b' between the backrest and the seat. There is a link D that is pivotally mounted to the backrest and extends into a slot by D' on the inside of the seat. However, the present invention is patentably distinct from the mechanism described in Hunt as the pivot point between the backrest and the seat of the present invention changes positions and actually slides along the sides of the seat when the backrest is moved from the compact position to the upright position or vice versa. The link D shown and described in the Hunt patent is not required in the present application. The Hunt patent has a fixed pivot point.

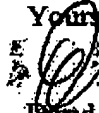
The sofa bed described in the George patent describes an adjustable backrest for a seat of a motorcycle, the backrest also having a fixed pivot point. The angle of the backrest is adjusted simply by changing the angle of the backrest relative to the seat while the pivot point remains the same. With the present invention, the location of the pivot point changes as the angle of the backrest to the seat changes when the backrest is in an upright position relative to the seat. The George patent allows the backrest to be moved horizontally further from or closer to the seat. With the present invention, the entire backrest slides relative to the seat as the seat moves between positions. With the George patent, the sliding movement of the backrest is entirely independent of the pivotal angle of the backrest relative to the seat. Also, the seat and backrest in George are entirely independent of one another and they are not portable.

For any or all of the above reasons, it is respectfully submitted that the rejection of Claims 1 to 5, 10 to 13, 16 to 18, 22 and 23, as amended, should be withdrawn.

The Examiner has rejected Claim 24 as being unpatentable over Heins. The Heins patent describes a portable folding seat where the backrest folds forward toward the top of the seat when it moves toward the folded position. The backrest has a fixed pivot point on the seat and when the backrest is unfolded, it has one position only and is held in place by a foldable guide 41. With the present invention, the backrest pivots rearward and downward as the backrest slides forward relative to the seat to move from an upright position to a compact position. When moving from a compact position to an upright position, the backrest of the present invention slides rearward relative to the seat, moves upward and pivots forward. This movement is patentably distinct from the Heins patent and is respectfully submitted that the rejection of Claim 24, as amended, should be withdrawn.

It is respectfully submitted that the application is now in condition for allowance.

Yours very truly,



Garyl W. Schmurr
Reg. No. 28,569

**This Page is Inserted by IFW Indexing and Scanning
Operations and is not part of the Official Record**

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images include but are not limited to the items checked:

☐ **BLACK BORDERS**

☐ **IMAGE CUT OFF AT TOP, BOTTOM OR SIDES**

☐ **FADED TEXT OR DRAWING**

☐ **BLURRED OR ILLEGIBLE TEXT OR DRAWING**

☐ **SKEWED/SLANTED IMAGES**

☐ **COLOR OR BLACK AND WHITE PHOTOGRAPHS**

☐ **GRAY SCALE DOCUMENTS**

☒ **LINES OR MARKS ON ORIGINAL DOCUMENT**

☐ **REFERENCE(S) OR EXHIBIT(S) SUBMITTED ARE POOR QUALITY**

☐ **OTHER:** _____

IMAGES ARE BEST AVAILABLE COPY.

As rescanning these documents will not correct the image problems checked, please do not report these problems to the IFW Image Problem Mailbox.